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COMMITTEE ON CRIME PREVENTION AND CONTROL
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Agenda item 5*

CONTINUATION OF PREPARATIONS FOR THE EIGHTH UNITED NATIONS CONGRESS ON THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS

Draft resolution submitted by Albert L. O. Metzger (Sierra Leone), Vice-Chairman of the Committee, on the basis of informal consultations held on draft resolution I contained in document E/AC.57/1990/5/Add.4

The Committee on Crime Prevention and Control recommends to the Economic and Social Council that it transmit the draft resolution to the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders:

"United Nations Guidelines for the Prevention of Juvenile Delinquency (The Guidelines of Riyadh)

"The Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

"Bearing in mind the Universal Declaration of Human Rights, 1/ the International Covenant on Economic, Social and Cultural Rights, 2/ the International Covenant on Civil and Political Rights, 2/ as well as other international instruments pertaining to the rights and well-being of young persons, including relevant standards established by the International Labour Organisation,

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* E/AC.57/1990/1.

1/ General Assembly resolution 217 A (III) of 10 December 1948.

2/ General Assembly resolution 2200 A (XXI), annex, of 16 December 1966.

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"Bearing in mind also the Declaration of the Rights of the Child, 3/ the Convention on the Rights of the Child, 4/ and the United Nations Standard Minimum Rules for the Administration of Juvenile Justice, 5/

"Recalling General Assembly resolution 40/33 of 29 November 1985 which, inter alia, adopted the United Nations Standard Minimum Rules for the Administration of Juvenile Justice on the recommendation of the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

"Recalling also that the General Assembly, in its resolution 40/35 of 29 November 1985, adopted on the recommendation of the Seventh United Nations Congress, called for the development of standards for the prevention of delinquency in order to assist Member States in formulating and implementing specialized programmes and policies, emphasizing assistance, care and community involvement, and called upon the Economic and Social Council to report to the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders on the progress achieved with respect to these standards, for review and action,

"Recalling further Economic and Social Council resolution 1986/10 of 21 May 1986, requesting the Eighth Congress to consider the draft guidelines for the prevention of juvenile delinquency, with the view to their adoption,

"Recognizing the need to develop national, regional and international approaches and strategies for the prevention of juvenile delinquency,

"Affirming that every child has basic human rights, including, in particular, access to free education,

"Mindful of the large number of young persons who may or may not be in conflict with the law but who are abandoned, neglected, abused, exposed to drug abuse, in marginal circumstances, and in general who are at social risk,

"Taking into account the benefits of progressive policies for the prevention of delinquency as well as for the welfare of the community,

"1. Notes with satisfaction the substantive work accomplished by the Committee on Crime Prevention and Control and the Secretariat in the formulation of the Guidelines for the Prevention of Juvenile Delinquency;

"2. Expresses appreciation for the valuable collaboration of the Arab Security Studies and Training Centre at Riyadh, in hosting the International Meeting of Experts on the Development of the United Nations Draft Guidelines for the Prevention of Juvenile Delinquency, held at Riyadh from 28 February to 1 March 1988, in co-operation with the United Nations Office at Vienna;

"3. Adopts the Guidelines for the Prevention of Juvenile Delinquency annexed to the present resolution, to be designated "The Guidelines of Riyadh";

"4. Calls upon Member States, in their comprehensive crime prevention plans, to apply the Guidelines in national law, policy and practice, and to bring the

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3/ General Assembly resolution 1386 (XIV) of 20 November 1959.

4/ General Assembly resolution 44/25 of 20 November 1989.

5/ General Assembly resolution 40/33 of 29 November 1985.

Guidelines to the attention of relevant authorities, including policy makers, juvenile justice personnel, educators, the mass media, practitioners and scholars;

"5. Requests the Secretary-General and invites Member States to ensure the widest possible dissemination of the text of the Guidelines in all of the official languages of the United Nations;

"6. Requests further the Secretary-General and invites all relevant United Nations offices and interested institutions, in particular, the United Nations Children's Fund, as well as individual experts to make a concerted effort to promote the application of the Guidelines;

"7. Urges all relevant bodies within the United Nations system to collaborate with the Secretary-General in taking appropriate measures to ensure the implementation of the present resolution;

"8. Invites the Sub-Commission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights to consider this new international instrument, with a view to promoting the application of its provisions;

"9. Invites also Member States to strongly support the organization of technical and scientific workshops, as well as pilot and demonstration projects on practical issues and policy matters relating to the application of the provisions of the Guidelines and to the establishment of concrete measures for community-based services designed to respond to the special needs, problems and concerns of young persons, and requests the Secretary-General to co-ordinate efforts in this respect;

"10. Invites further Member States to inform the Secretary-General on the implementation of the Guidelines and to report regularly to the Committee on Crime Prevention and Control on the results achieved.

"Annex

"UNITED NATIONS GUIDELINES
FOR THE PREVENTION OF JUVENILE DELINQUENCY
(The Guidelines of Riyadh)

"I. FUNDAMENTAL PRINCIPLES

"1. The prevention of juvenile delinquency is an essential part of crime prevention in society. By engaging in lawful, socially useful activities and adopting a humanistic orientation towards society and outlook on life, young persons can develop non-criminogenic attitudes.

"2. The successful prevention of juvenile delinquency requires efforts on the part of the entire society to ensure the harmonious development of adolescents, with respect for and promotion of their personality from early childhood.

"3. For the purposes of the interpretation of these guidelines, a child-centred orientation should be pursued. Young persons should have an active role and partnership within society and should not be considered as objects of socialization and control.

"4. In the implementation of these Guidelines, in accordance with national legal systems, the well-being of young persons from their early childhood should be the focus of any preventive programme.

"5. The need for and importance of progressive delinquency prevention policies and measures should be recognized. These should avoid criminalizing and penalizing a child for behaviour that does not cause serious damage to the development of the child or harm to others. Such policies and measures should involve:

"(a) The provision of opportunities, in particular educational, to meet the varying needs of young persons and to serve as a supportive framework for safeguarding the personal development of all young persons, particularly those who are demonstrably endangered or at social risk and are in need of special care and protection;

"(b) Specialized philosophies and approaches for delinquency prevention, on the basis of laws, processes, institutions, facilities and a service delivery network aimed at reducing the motivation, need and opportunity for, or conditions giving rise to, the commission of infractions;

"(c) Official intervention to be pursued primarily in the overall interest of the young person and guided by fairness and equity;

"(d) Safeguarding the well-being, development, rights and interests of all young persons;

"(e) Consideration that youthful behaviour or conduct that does not conform to overall social norms and values is often part of the maturation and growth process and tends to disappear spontaneously in most individuals with the transition to adulthood;

"(f) Awareness that, in the predominant opinion of experts, labelling a young person as "deviant", "delinquent" or "pre-delinquent" often contributes to the development of a consistent pattern of undesirable behaviour by young persons.

"6. Community-based services and programmes should be developed for the prevention of juvenile delinquency, particularly where no agencies have yet been established. Formal agencies of social control should only be utilized as a means of last resort.

"II. SCOPE OF THE GUIDELINES

"7. These Guidelines should be interpreted and implemented within the broad framework of the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Declaration of the Rights of the Child and the Convention on the Rights of the Child, and in the context of the United Nations Standard Minimum Rules for the Administration of Juvenile Justice, as well as other instruments and norms relating to the rights, interests and well-being of all children and young persons.

"8. These Guidelines should also be implemented in the context of the economic, social and cultural conditions prevailing in each Member State.

"III. GENERAL PREVENTION

"9. Comprehensive prevention plans should be instituted at every level of government and include the following:

"(a) In-depth analyses of the problem and inventories of programmes, services, facilities and resources available;

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"(b) Well-defined responsibilities for the qualified agencies, institutions and personnel involved in preventive efforts;

"(c) Mechanisms for the appropriate co-ordination of prevention efforts between governmental and non-governmental agencies;

"(d) Policies, programmes and strategies based on prognostic studies to be continuously monitored and carefully evaluated in the course of implementation;

"(e) Methods for effectively reducing the opportunity to commit delinquent acts;

"(f) Community involvement through a wide range of services and programmes;

"(g) Close interdisciplinary co-operation between national, state, provincial and local governments, with the involvement of the private sector, representative citizens of the community to be served, and labour, child-care, health education, social, law enforcement and judicial agencies in taking concerted action to prevent juvenile delinquency and youth crime;

"(h) Youth participation in delinquency prevention policies and processes, including recourse to community resources, youth self-help, and victim compensation and assistance programmes;

"(i) Specialized personnel at all levels.

"IV. SOCIALIZATION PROCESSES

"10. Emphasis should be placed on preventive policies facilitating the successful socialization and integration of all children and young persons, in particular through the family, the community, peer groups, schools, vocational training and the world of work, as well as through voluntary organizations. Due respect should be given to the proper personal development of children and young persons, and they should be accepted as full and equal partners in socialization and integration processes.

"A. Family

"11. Every society should place a high priority on the needs and well-being of the family and of all its members.

"12. Since the family is the central unit responsible for the primary socialization of children, governmental and social efforts to preserve the integrity of the family, including the extended family, should be pursued. The society has a responsibility to assist the family in providing care and protection and in ensuring the physical and mental well-being of children. Adequate arrangements including day-care should be provided.

"13. Governments should establish policies that are conducive to the bringing up of children in stable and settled family environments. Families in need of assistance in the resolution of conditions of instability or conflict should be provided with requisite services.

"14. Where a stable and settled family environment is lacking and when community efforts to assist parents in this regard have failed and the extended family cannot fulfil this role, alternative placements, including foster care and adoption,

should be considered. Such placements should replicate, to the extent possible, a stable and settled family environment, while, at the same time, establishing a sense of permanency for children, thus avoiding problems associated with "foster drift".

"15. Special attention should be given to children of families affected by problems brought about by rapid and uneven economic, social and cultural change, in particular the children of indigenous and migrant families. As such changes may disrupt the social capacity of the family to secure the traditional rearing and nurturing of children, often as a result of role and culture conflict, innovative and socially constructive modalities for the socialization of children have to be designed.

"16. Measures should be taken and programmes developed to provide families with the opportunity to learn about parental roles and obligations as regards child development and child care, promoting positive parent-child relationships, sensitizing parents to the problems of children and young persons and encouraging their involvement in family and community-based activities.

"17. Governments should take measures to promote family cohesion and harmony and to discourage the separation of children from their parents, unless circumstances affecting the welfare and future of the child leave no alternative.

"18. It is important to emphasize the social control function of the family and extended family; it is also equally important to recognize the future role, responsibilities, participation and partnership of young persons in society.

"19. In ensuring the right of the child to proper socialization, Governments and other agencies should rely on existing social and legal agencies, but, whenever traditional institutions and customs are no longer effective, they should also provide and allow for innovative measures.

"B. Education

"20. Governments are under an obligation to make public education accessible to all young persons.

"21. Education systems should, in addition to their academic and vocational training activities, devote particular attention to the following:

"(a) Teaching of basic values and developing respect for the child's own cultural identity and patterns, for the social values of the country in which the child is living, for civilizations different from the child's own and for human rights and fundamental freedoms;

"(b) Promotion and development of the personality, talents and mental and physical abilities of young people to their fullest potential;

"(c) Involvement of young persons as active participants in, rather than mere objects of, the educational process;

"(d) Undertaking activities that foster a sense of identity with and of belonging to the school and the community, as well as mutual understanding and harmony;

"(e) Encouragement of young persons to understand and respect diverse views and opinions, as well as cultural and other differences;

"(f) Provision of information and guidance regarding vocational training, employment opportunities and career development;

"(g) Avoidance of harsh disciplinary measures, particularly corporal punishment.

"22. Educational systems should seek to work together with parents, community organizations and agencies concerned with the activities of young persons.

"23. Young persons should be informed about the law, their rights and responsibilities under the law, as well as the universal value system.

"24. Educational systems should extend particular care and attention to young persons who are at social risk. Specialized prevention programmes and educational materials, curricula, approaches and tools should be developed and fully utilized.

"25. Special attention should be given to comprehensive policies and strategies for the prevention of alcohol, drug and other substance abuse by young persons. Teachers and other professionals should be equipped and trained to prevent and deal with these problems. Information on the use and abuse of drugs should be made available to the student body.

"26. Schools should serve as resource and referral centres for the provision of medical, counselling and other services to young persons, particularly those with special needs and suffering from abuse, neglect, victimization and exploitation.

"27. Through a variety of educational programmes, teachers and other adults should be sensitized to the problems, needs and perceptions of young persons, particularly those belonging to underpriviledged, disadvantaged, ethnic or other minority and low-income groups.

"28. School systems should attempt to meet and promote the highest professional and educational standards with respect to curricula, teaching and learning methods and approaches and the recruitment and training of qualified teachers. Regular monitoring and assessment of performance by the appropriate professional organizations and authorities should be ensured.

"29. School systems should plan, develop and implement extra-curricular activities of interest to young persons, in co-operation with community groups.

"30. Assistance should be given to children and young persons who find it difficult to comply with attendance codes, as well as to "drop-outs".

"31. Schools should promote policies and rules that are fair and just; students should be represented in school policy, decision-making and disciplinary matters and proceedings.

"C. Community

"32. Community-based services and programmes which respond to the special needs, problems, interests and concerns of young persons and which offer appropriate counselling and guidance to young persons and their families should be developed, or strengthened where they exist.

"33. Communities should provide, or strengthen where they exist, a wide range of community-based support measures for young persons, including community development centres, recreational facilities and services to respond to the special problems of children who are at social risk. In providing these helping measures, respect for individual rights should be ensured.

"34. Special facilities should be set up to provide adequate shelter for young persons who are no longer able to live at home.

"35. A range of services and helping measures should be provided to deal with the difficulties experienced by young persons in the transition from childhood to adulthood. Such services should include special programmes for young drug abusers which emphasize care, counselling, assistance and therapy-oriented interventions.

"36. Voluntary organizations providing services for young persons should be given financial and other support by Governments and other institutions.

"37. Youth organizations should be created or strengthened at the local level and given full participatory status in the management of community affairs. These organizations should encourage youth to organize collective and voluntary projects, particularly projects aimed at helping young persons in need of assistance.

"38. Government agencies should take special responsibility and provide necessary services for homeless or street children; information about local facilities, accommodation, employment and other forms and sources of help should be made readily available to young persons.

"39. A wide range of recreational facilities and services of particular interest to young persons should be established and made easily accessible to them.

"D. Mass media

"40. The mass media should be encouraged to ensure that the child has access to information and material from a diversity of national and international sources.

"41. The mass media should be encouraged to portray the positive contribution of young persons to society.

"42. The mass media should be encouraged to disseminate information on the existence of services, facilities and opportunities for young persons in society.

"43. The mass media generally, and the television and film media in particular, should be encouraged to reduce the level of violence portrayed and to display violence and exploitation disfavourably, as well as to avoid demeaning and degrading presentations of children, women and interpersonal relations and to promote egalitarian principles and roles.

"44. The mass media should be aware of its extensive role and responsibility, as well as its influence, in communications relating to youthful drug abuse. It should use its power for drug abuse prevention by relaying consistent messages through a balanced approach. Effective drug awareness campaigns at the primary, secondary and tertiary levels should be promoted.

"V. SOCIAL POLICY

"45. Government agencies should give high priority to plans and programmes for young persons and should provide sufficient funds and other resources for the effective delivery of services, facilities and staff for adequate medical and mental health care, nutrition, housing and other relevant services, including drug abuse prevention and treatment, ensuring that such resources reach and actually benefit young persons.

"46. The institutionalization of young persons should be a measure of last resort and for the minimum necessary period, and the best interests of the young person should be of paramount importance. Criteria authorizing formal intervention of this type should be strictly defined and limited to the following situations: (a) where the child or young person has suffered harm that has been inflicted by the parents or guardians; (b) where the child or young person has been sexually, physically or emotionally abused by the parents or guardians; (c) where the child or young person has been neglected, abandoned or exploited by the parents or guardians; and (d) where the child or young person is threatened by physical or moral danger due to the behaviour of the parents or guardians.

"47. Government agencies should provide young persons with the opportunity of continuing in full-time education, funded by the State where parents or guardians are unable to support the young persons, and of receiving work experience.

"48. Programmes to prevent delinquency should be planned and developed on the basis of reliable, scientific research findings, and periodically monitored, evaluated and adjusted accordingly.

"49. Scientific information should be disseminated to the professional community and to the public at large about the sort of behaviour or situation which indicates or may result in physical and psychological victimization, harm and abuse, as well as exploitation, of young persons.

"50. Generally, participation in plans and programmes should be voluntary. Young persons themselves should be involved in their formulation, development and implementation.

"VI. LEGISLATION AND JUVENILE JUSTICE ADMINISTRATION

"51. Governments should enact and enforce specific laws and procedures to promote and protect the rights and well-being of all young persons.

"52. Legislation preventing the victimization, abuse and exploitation of children and young persons should be enacted and enforced.

"53. No child or young person should be subjected to harsh or degrading correction or punishment measures at home, in schools or in any other institutions.

"54. Legislation and enforcement aimed at regulating and controlling accessibility of weapons of any sort to children and young persons should be pursued.

"55. In order to prevent further stigmatization, victimization and criminalization of young persons, legislation should be enacted to ensure that any conduct not considered an offence or penalized if committed by an adult is not considered an offence or penalized if committed by a young person.

"56. Consideration should be given to the establishment of an office of Ombudsman or similar independent office for young persons, which would ensure that the status, rights and interests of young persons are upheld and that proper referral to available services is made. Child advocacy services should also be established.

"57. Police and other justice personnel, of both sexes, should be trained to respond to the special needs of young persons and should be familiar with and use, to the maximum extent possible, programmes and referral possibilities for the diversion of young persons from the justice system.

"58. Legislation should be enacted and strictly enforced to protect children and young persons from drug abuse and drug traffickers.

"VII. RESEARCH, POLICY DEVELOPMENT AND CO-ORDINATION

"59. Efforts should be made and appropriate mechanisms established to promote, on both a multidisciplinary and an intradisciplinary basis, interaction and co-ordination between economic, social, educational and health agencies and services, the justice system, youth, community and development agencies and other relevant institutions.

"60. The exchange of information, experience and expertise gained through projects, programmes, practices and initiatives relating to youth crime, delinquency prevention and juvenile justice should be intensified at the national, regional and international levels.

"61. Regional and international co-operation on matters of youth crime, delinquency prevention and juvenile justice involving practitioners, experts and decision-makers should be further developed and strengthened.

"62. Technical and scientific co-operation on practical and policy-related matters, particularly in training, pilot and demonstration projects, and on specific issues concerning the prevention of youth crime and juvenile delinquency should be strongly supported by all Governments, the United Nations system and other concerned organizations.

"63. Collaboration should be encouraged in undertaking scientific research with respect to effective modalities for youth crime and juvenile delinquency prevention and the findings of such research should be widely disseminated and evaluated.

"64. Appropriate United Nations bodies, agencies and offices should pursue close collaboration and co-ordination on various questions related to children, juvenile justice and youth crime and juvenile delinquency prevention.

"65. On the basis of these Guidelines, the United Nations Secretariat, in co-operation with interested institutions, should play an active role in the conduct of research, scientific collaboration, the formulation of policy options and the review and monitoring of their implementation, and should serve as a source of reliable information on effective modalities for delinquency prevention."